

Defending free speech

– measures to protect journalists, elected representatives and artists from exposure to threats and hatred



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Preface

Freedom of expression is statutory in Sweden. Our public discourse rests on this freedom, which is the foundation of a living democracy.

But what are the actual circumstances for being able to exercise freedom of expression? The risk of exposure to hatred and threats has increased in pace with the polarisation of our society. The conditions for being seen and heard and for communicating with each other have changed. The digital transformation brings great opportunities, but also challenges. While more people are able to express thoughts and ideas, it is not a given that everyone who wants to express an opinion chooses to participate in the public debate. Too many feel that their opportunities to freely express themselves in the public sphere are being limited. Not least, journalists, elected representatives and artists bear witness to a harsher climate for discussion and debate, and that their exposure to threats and hatred leads to adaptation and self-censorship.

The free and open formation of opinion is a decisive factor for a democracy to function. An open discourse that provides a meeting place for many different voices and perspectives builds trust between people. When voices in the public sphere are silenced, it might serve to undermine democracy. Without a diversity of voices freely expressing opinions and debating society's development, we risk slowly but surely eroding the legitimacy of our democracy. We risk creating a breeding ground for less firmly anchored decisions about how our society is to develop.

The Government believes that everyone has a responsibility to respect their ideological opponents. Our public discourse is everyone's discourse. This is why we are joining forces to defend free expression.

More knowledge and cooperation, combined with new measures, are necessary in order to reduce the exposure of key actors in the democratic discourse – journalists, elected representatives and artists – actors in the service of free expression upon whom we all depend for an open and lively democratic discourse.



A stylized, handwritten signature in black ink, consisting of fluid, connected loops and strokes.

Alice Bah Kuhnke
Minister for Culture and Democracy

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Summary – safeguarding the democratic discourse

In order to safeguard democracy, it is crucial that society creates conditions for an open and inclusive public discourse.

The Government is therefore commencing a more systematic effort to safeguard – and thereby strengthen – the democratic discourse against threats and hatred. The work conducted by the judicial authorities is of importance, but not enough to protect the democratic discourse. Society needs both wide-ranging efforts to strengthen democracy and targeted measures to prevent threats and hatred against the key actors in the democratic discourse. This action plan, issued by the Swedish Government, is specifically intended to safeguard politically elected representatives, journalists and artists as a part of the infrastructure of the democratic discourse. These actors are particularly exposed due to the functions they have in society.

Based on integrated knowledge, the Government presents ongoing as well as new initiatives in the area, with the aim of laying the foundation for more systematic work in the future. The ambition is to strengthen its preventive work through greater knowledge and targeted measures that can reduce the exposure of elected representatives, journalists and artists to threats and hatred.

The first section of the action plan provides a situational assessment of the challenges accompanying polarisation and a changing media landscape, and the opportunities that digital development entails for the democratic discourse. The Government is already implementing a number of preventive measures to help safeguard the democratic discourse and counteract exposure to threats and hatred in the public sphere. These are described in Section 1.4.

The second section of the action plan, concerning the tougher climate for discussion and debate, describes the exposure of elected representatives, journalists, artists and opinion makers to threats and hatred. The third section presents initiatives by the judicial system to strengthen the work against offences that threaten the fundamental rights and freedoms. The fourth and final section presents the Government's measures to prevent threats and hatred against the key actors identified.

1. The democratic discourse

Freedom of expression and respect for free speech are fundamental in a democratic society. Freedom of expression is regulated in our fundamental laws – the Instrument of Government, the Freedom of the Press Act and the Fundamental Law on Freedom of Expression. Freedom of expression is also incorporated in the European Convention on Human Rights, the Charter of Fundamental Rights of the European Union and the International Covenant on Civil and Political Rights. Freedom of expression, the free formation of opinion and respect for human rights are essential for everyone – women, men, girls, boys and people with another gender identity – in order to have the opportunity to express opinions, influence society and participate in the democratic discourse.

The starting point for the Government's democracy policy is the existence of positive conditions for all people to put forth their opinions. The goal is a living democracy that empowers citizens to take part. In addition to the general elections that are foundational to a representative democracy, there must be equal opportunities for influence between elections. This might, for example, involve participating in demonstrations, influence through non-profit organisations and liberal adult education, participation in the media or through direct contact with decision makers. It might also involve participating in referendums, citizens' dialogue or submitting citizens' initiatives. Civil society plays a key role in our democracy since democracy is dependent on people's participation in society and engagement in societal issues. There is thus a need for a policy that promotes democracy and a policy that promotes the freedom and independence of civil society.

Argumentation and a democratic discourse have been important since the birth of democracy. The Government views the democratic discourse as an open, common and continually ongoing exchange of views and knowledge between people in the public sphere. It is predicated on people becoming engaged in societal issues, seeking, receiving and disseminating knowledge, exchanging opinions, adopting perspectives and forming opinion directed towards the public arena. Participants in the democratic discourse might be people who participate individually or together with others in forms such as networks, organisations and parties.

The democratic discourse can take place in both digital and physical environments, at multiple levels and with regard to different types of issues. Such discourse can for example take place at meetings, seminars and conferences, within cultural institutions, in the news media and social media, in comments fields or in other discussion forums. It can take place locally, nationally or internationally. The discourse might involve a distinct issue, e.g. a local construction project, or an international future issue such as climate change.

The democratic discourse provides oxygen for the democratic form of government and our representative democracy by bringing opinions, perspectives and knowledge to the attention of elected representatives in political assemblies and others in power. This flow of opinions and knowledge vitalises and enriches the decision-making. It is therefore of great importance that the democratic discourse is open to a diversity of voices and that different perceptions are stated. The living democratic discourse is

closely linked to the conditions for freedom of expression. The starting point is that everyone has the freedom to express what they wish, but no one has the right to go unchallenged. Criticism and questioning form part of the discourse. It must be allowed to object and think differently, and it must be possible to pit opinions against each other. However, everyone should contribute to a respectful tone of discussion, free from the threats and hatred that cause people to fall silent. Respect for one's ideological opponents is central in a democracy.

If people's opportunities to participate in the democratic discourse are limited on account of phenomena such as threats and hatred, it will influence the formation of opinion in society. Opinions, perspectives and knowledge risk becoming marginalised and omitted from decision-making processes. Political processes and decisions become less firmly anchored, decrease in legitimacy and maintain lower quality. A limited democratic discourse ultimately leads to a less effective democracy.

1.1 Polarisation creates tensions

In an international comparison, Sweden is an open country with equal opportunities. An increased acceptance of differences and diversity has been the long term development within the population. The vast majority are positive and respectful towards the choices and perceptions of other people. At the same time Sweden, like many other countries today, is showing worrying signs of polarisation. We are witnessing greater tensions between groups in society, and people appear to be drifting apart from each other with regard to fundamental values. The proportion of the population who are positive to diversity has

decreased by 10 percentage points between 2014 and 2016 according to the University of Gävle's Diversity Index (2016).

The polarisation can also be seen as an expression of fewer areas of contact between people. There are signs of increased segregation in cities and growing disparities between different parts of Sweden. Segregation on for example the housing market (Andersson & Kährrik, 2016) and in the education system (IFAU, 2015) creates differentiation and reduces the areas of contact that enable people with different backgrounds and experiences to meet and interact with each other. The unequal opportunities to find employment, a good school for one's children, well-functioning healthcare and good housing are factors contributing to the polarisation.

The polarisation is reinforced by organisations and movements, both in and outside Europe, whose strategy is to create greater tensions between people by pitting "us against them" and to abuse the opportunities accompanying digital development. Populist, nationalist and reactionary movements are gaining influence by challenging democracy and undermining the open pluralistic democracy based on the rule of law, free media as well as on human rights and freedoms.

1.2 A changing media landscape

Our new media landscape allows more people to express themselves and make their voice heard. From having previously been a medium for spreading and collecting information, the internet and social media are today interactive meeting places that have fundamentally changed the way people communicate with each other. Digital



development has thus created conditions for a more open and inclusive democratic discourse that can help to increase participation. More people than ever have the opportunity to express, spread and access different opinions, ideas and information, but also comment on, debate and form public opinion. The creation of a text or film is possible with just a few clicks. This is a positive development but it also has its challenges.

A prerequisite for a functioning democracy is the existence of independent media that can freely convey societal information, comprehensive news and investigative journalism. In the report “A cross-cutting media policy” (SOU 2016:80), the inquiry describes a media industry under hard pressure. Today, national and local news media are finding it difficult to finance their activities. In particular, the economic challenges of the daily press have led to cuts. More and more areas in Sweden are without qualitative journalistic coverage. The advertisement driven news media are facing new challenges as the major global companies and social media platforms gain ever greater influence. The global companies influence the dissemination of news, journalism and societal information through algorithms that steer the content of social media platforms.

People's media habits have moved towards a more fragmented use of news and media. Social media has facilitated news streams that are customised to individual preferences based on what the user has previously read or viewed. When many people receive customised streams and personalised news, it might result in increasingly one-sided information that confirms their own opinions. These “filter bubbles” can serve to increase polarisation in society. This trend risks counteracting the enhanced opportunities for the free formation of opinion provided by digital development.

1.3 Sexism and racism in the public sphere

The threats and hatred found in the public sphere and digital environments are reinforced by gender-based threats and hatred, sexism, racism and similar forms of hostility. Threats and hatred suffered by women, girls and LGBTI people are often linked to gender, power and sexuality. For example, offences that violate integrity directed against girls and women are to a higher degree of a sexualized nature than those directed against boys and men. Violations such as unlawful threat and molestation often have racist or homophobic purposes. Similarly, people who debate subjects such as feminism, gender, gender equality and racism are often exposed to threats and hatred. This exposure means that certain voices risk being silenced and public discourse risks being limited.

Digital development can be abused by those with interests other than an open and democratic society. Some forums on the internet are dominated by sexist and racist attitudes or violent extremist messages. These messages, which have previously been aired in closed contexts, are now disseminated via comments fields and social media and thus have a greater impact today than before.

1.4 The work to safeguard the democratic discourse

The Government is implementing major investments in our common welfare in order to tackle the problems of polarisation, segregation and unequal opportunities for work, education, healthcare and housing. Extensive investments have been made. For example, as of 2017, the municipal level receives SEK 10 billion annually to create opportunities to, inter alia, employ more people and strengthen healthcare, education and social care. Investments in education are being made, including “Collaboration for the best school” and a new knowledge boost programme for lifelong learning and higher employment. Other examples of investments are increased resources for the police, crime

prevention, renovation of the public housing programmes known as the Million Programme, initiatives to reduce long-term unemployment, initiatives to strengthen the Social Child and Youth Care, the appointment of a Commission for Equity in Health, a national coordinator and an agreement between the Government and the Swedish Association of Local Authorities and Regions for mental health, as well as “Äga rum”, which is an investment in art and culture in socioeconomically vulnerable areas.

The Government is also implementing a series of measures whose overall aim is to safeguard the democratic discourse and the open pluralistic society. The basis for not allowing threats and hatred to grow and take root lies in the wide-ranging efforts to strengthen democracy, the preventive work related to human rights and gender equality, and in initiatives against sexism, racism, discrimination, violent extremism and terrorism. Today, several of these areas are covered by action plans, strategies and communications such as: “The Government's strategy for national efforts with human rights”, “Power, goals and agency – a feminist policy for a gender-equal future”, “A comprehensive approach to combat racism and hate crime – National plan to combat racism, similar forms of hostility and hate crime”, “Actions to Make Society More Resilient to Violent Extremism” and “Prevent, preempt and protect – the Swedish counter-terrorism strategy”. Central policy areas are media policy, which promotes independent media, and cultural policy, which works for culture to be a dynamic, challenging and independent force. The issues are global, and the Government works accordingly at the international level within, e.g. the EU, the Council of Europe, UNESCO and other relevant UN bodies in order to strengthen human rights and promote freedom of expression, among other things.

In order to counteract exposure to threats and hatred in the public sphere, especially on

the internet and in social media, the Government is implementing a series of specific measures. Below follows a brief presentation of four of the most important measures: preventive work against racism, sexism and violent extremism, improved source criticism, support for civil society and dialogue with internet companies and providers.

1.4.1 Counteracting sexism, racism and violent extremism

In the public sphere, it is important to expose, challenge and counteract threats and hatred that are expressed through gender-based threats and hatred, sexism, racism and similar forms of hostility towards people who are perceived to violate the norms of society.

In order to counteract hatred and threats that are sexist and gender-based, the Government is working to promote a gender equality perspective in all preventive efforts, not least with regard to destructive masculinity norms in physical and digital environments. In its communication “Power, goals and agency – a feminist policy for a gender-equal future” (2016), the Government presents, inter alia, a national strategy to prevent and combat men's violence against women.

The Government is also working against racism and hate crime. In the Government's national plan, “A comprehensive approach to combat racism and hate crime – National plan to combat racism, similar forms of hostility and hate crimes” (2016), the Government identifies five strategic areas for improving the protection against racism, similar forms of hostility and hate crime. One of these strategic areas is strengthening preventive measures online. The Government has, inter alia, commissioned the Swedish Media Council to map the protection of children and young people on the internet with regard to racism, similar forms of hostility, hate crime and extremism. The

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Swedish Media Council has also been commissioned to run the campaign “No Hate Speech Movement” up until the end of 2020. The aim of this campaign is to raise awareness among children and young people about racism and similar forms of hostility on the internet. Similar forms of hostility can find expression through sexism, homophobia, biphobia, transphobia and ableism. In the autumn of 2017, the Government will convene a dialogue with relevant actors to discuss how to prevent and counteract racism and similar forms of hostility and hate crime on social media, among other places. The Living History Forum has produced the course “Counteracting racism and xenophobia in preschool and school” and is also working to develop a digital teaching resource for source criticism and the use of history for teachers.

The Government has reported on important parts of the work currently in progress to safeguard democracy against violent extremism in its communication “Actions to make society more resilient to violent extremism” (2015). The most important preventive initiative in progress is the Government's commission to the National Coordinator to safeguard democracy against violent extremism (ToR 2014:103 with supplementary terms of reference). In addition, several new commissions have been deployed to further strengthen the preventive work. One example is the Swedish Defence Research Agency's (FOI) commission to map and analyse violent extremist propaganda on the internet and in social media. Two reports have been produced so far: “Hate messages and violent extremism in digital environments” (2017) and “The Digital Caliphate. A study of propaganda from the Islamic state” (2017).

1.4.2 Improved source criticism

To an ever-increasing extent, the knowledge society requires our ability to interpret information. A critical and conscious attitude to media and information is an

important prerequisite for a functioning democratic discourse that allows people to participate on equal terms. Digital transformation, which means that everyone can produce content and share the online content of others, places great demands on media and information literacy. Media and information literacy (MIL) involves the knowledge and skills that individuals need to critically examine, evaluate and produce information digitally. Without the ability to evaluate sources of information, it can be difficult to separate facts and independent reporting from false news and disinformation.

School initiatives for source criticism and digital literacy are crucial. For this reason, the Government decided earlier this year to strengthen digital literacy in curricula and in learning outcomes and individual course and subject syllabi. Commissioned by the Government, the National Agency for Education also offers support for teachers, school librarians and other school staff to work with critical and safe use of the internet. The Swedish Media Council is commissioned to empower children and young people as conscious media users and to protect them from harmful media influences. The Government has strengthened the Council with increased funding. Among other things, the Swedish Media Council has produced and developed the digital educational resource “MIL for me” and educational materials about propaganda and the power of images, which is intended for children and young people.

Well-developed reading skills are fundamental to people's ability to fully participate in the democratic discourse. The Government has therefore implemented several reading promotion initiatives and appointed a Reading Delegation. In the public sphere, libraries are an important meeting place for people. Libraries are to promote the development of our democratic society by contributing to the conveying of knowledge and the free formation of opinion. Public

libraries are to work particularly to increase knowledge of how information technology can be used for knowledge acquisition, learning and participation by children, young people and adults.

1.4.3 Support for civil society

Civil society organisations are central to our democratic society and to the work against threats, hatred and violations. Both established and new initiatives are part of civil society that aim to counteract threats and hatred. Examples of established organisations in the field are the Internet Foundation in Sweden (IIS), which works for a positive development of the internet in Sweden, and the Swedish Institute of Law and Internet, which works against internet-related violations. Established initiatives aimed at children and youth include “Surfa Lugnt” (Safe Surfing), which raises the knowledge of schools and adults regarding the everyday internet activities of children and young people, and Friends, which works against bullying in schools, preschools and sports associations. Newly formed initiatives that have had an impact in social media include #jagärhär, which uses positive messages to counteract hatred, threats and violations on the internet.

The Government considers it urgent that civil society be given conditions to work against threats, hatred and violations. Funds are allocated according to a number of ordinances, for example, to support organisations that prevent and counteract discrimination, initiatives against racism and similar forms of intolerance, preventive initiatives against violent extremism as well as initiatives against men’s violence against women.

1.4.4 Dialogue with the global internet companies

Electronic bulletin boards are today a major and important arena for communication between people on the internet and in social media via e.g. social media platforms. The responsibility of the service provider

enabling communication is regulated by the Act (1998:112) on Responsibility for Electronic Bulletin Boards (the BBS Act). There is an obligation to provide information on who operates a service, an obligation to supervise the communication taking place by means of the service and an obligation to remove or prevent the dissemination of messages that obviously entail certain listed offences.

Dialogue is in progress with representatives of global internet companies at an international level regarding opportunities for self-regulation, i.e. a system for voluntary control and moderation. Last year, the European Commission presented an agreement with Google, Facebook, Microsoft and Twitter whereby these companies undertake to expand their operations to remove illegal hate speech from their platforms. The first year's operations were evaluated in May 2017. The evaluation showed clear progress, including the way in which the companies handle the removal of hate speech. At present, European legislation is also being negotiated regarding an obligation to ensure that video sharing platforms have rules to protect the public against incitement to violence and hatred in the context of the AVMS Directive (Audiovisual Media Services).

2. A harsher climate for discussion and debate and its consequences

Threats and hatred against those participating in the democratic discourse are not a new phenomenon. However, in the new media landscape, digital development has made it easier both to express and disseminate threats and hatred. Greater visibility and accessibility increases exposure. Today, many people can have large quantities of hatred directed against them, ever present via their phone. Online abuse covers everything from derogatory comments and harassment to offences such as molestation and unlawful threat. These violations tend to be more gross and more extensive than offline violations. Threats and hatred on the internet and in social media can arise suddenly, to a great extent and risk remaining with us for a long time.

All people are equally important in the democratic discourse. Threats and hatred are suffered by those who get involved and debate various societal issues. For many, threats and hatred are something they have to relate to in their everyday lives. Some need to take extensive security measures. The hatred can have serious consequences for the lives of individual people, but can also make us passive in word and deed. Self-censorship, adaptation and tendencies towards a normalisation of threats and hatred are something that a democratic society must view seriously.

In this action plan, the Government particularly highlights the exposure of politically elected representatives, journalists and artists to threats and hatred.

2.1 Safeguarding key actors in the democratic discourse

It is serious when actors who have key functions in the democratic discourse are exposed to threats and hatred. In their roles,

elected representatives, journalists and artists support the infrastructure of the democratic discourse. Therefore, in addition to affecting individuals, threats and hatred also constitute an attack on their roles as elected representative, journalist or artist, and on their function as an important voice in the democratic discourse.

Politically engaged people enter elected office in order to contribute to the upholding and renewing of democracy. Their elected office means that, through the political parties, they represent citizens in the political assemblies. For this reason, it must be possible for elected representatives to be open and accessible and to participate in the public debate, not least for their voters and for the citizens they represent.

Journalists report and investigate, and this makes accountability possible and protects society against the abuse of power. Journalists need to be able to freely report on all issues and to scrutinise public institutions or those who exercise power. This helps people to be well-informed and to participate and demand accountability in society's democratic processes.

Artists examine, test, question and challenge through their art. In doing so, they contribute to the upholding of a democratic, vital and open society. Sweden's professionally active artists encompass both authors and performers, among them writers and translators, as well as artists in theatre, dance, film, music, image and form. If culture is to be a dynamic, challenging and independent force based on freedom of expression, it is necessary to secure artistic freedom.

New measures are necessary in order to reduce the exposure of journalists, elected representatives and artists. They are actors in the service of free expression upon whom we all depend.

Also bearing witness to various degrees of threats, hate and violations are individual opinion makers and representatives of civil society organisations, such as interest groups or trade unions, which in various ways practise their freedom of expression by commenting on society and contemporary issues. They give voice to the needs, values and interests of various groups, bringing pressure to bear through their criticism of the public exercise of power.

For a living democratic discourse, these actors must be particularly safeguarded.

2.1.1 Elected representatives

The Swedish National Council for Crime Prevention conducts “the Politician’s Safety Survey” (PTU), which covers members of the Riksdag and local government assemblies. PTU 2015 (2015:23) shows that almost three out of ten elected representatives were exposed to harassment, threats or violence during the election year 2014. Threats and harassment are the most common, primarily in the form of threats and attacks via social media. Three groups of elected representatives run a greater risk of exposure to threats, violence or harassment: young elected representatives, those who are more active and elected representatives in metropolitan municipalities. Elected representatives who chair local government executive committees, members of the Riksdag and full-time politicians are also particularly exposed. Women holding the post of chair, who are known to the public or who are active or have a presence on the internet or in social media, are more exposed than men in the same positions. For example, more than seven out of ten female local government chairs were exposed to threats, violence or harassment in 2014.

Among these exposed elected representatives, almost one third perceived the perpetrator to come from a political extremist group. The difference between the proportion of right-wing and left-wing extremists was small. In

the first instance, elected representatives felt the perpetrator to be a displeased citizen or a querulant, and a majority of the perpetrators were perceived to be men. It is also not unusual for the perpetrator to belong to the same professional group as them. Among elected representatives, 15 percent of the incidents are attributed to another elected representative.

Of all elected representatives, one in five has been influenced in their commission by exposure or concern about exposure to threats, violence or harassment. Of the elected representatives who have suffered threats and hatred, the proportion of those influenced is twice as high, almost two in five. This influence on elected representatives has a variety of results, including that they have avoided commenting on an issue, have hesitated ahead of a measure, have considered leaving or have left their commission, or have adopted a decision different to what they had originally intended. The most common consequence of exposure or concern about exposure is self-censorship.

The report “Threats and violence against elected representatives” (2014), by the Swedish Association of Local Authorities and Regions (SALAR), shows that self-censorship is a serious problem and that fear causes elected representatives to change their behaviour in everyday life. According to SALAR, the elected representatives speak of a normalisation of threats and hatred.

Among elected representatives, the inclination to report exposure is low. According to PTU 2015, only one in five incidents was reported to the police. The foremost reasons for this are that elected representatives do not believe that a report will have any result or that the incident has been perceived as a part of the commission.

2.1.2 Journalists

The knowledge that currently exists about the exposure of journalists in Sweden comes

from several different surveys. On two occasions (2013 and 2016), the University of Gothenburg has used its Journalist Panel to investigate the exposure of journalists to threats and harassment. The investigations show that almost every third journalist has been exposed to threats over the past year. For many journalists, insulting and derogatory comments are also a part of their everyday life.

Journalists who are visible, have a high profile and have prominent roles are particularly exposed. This applies, for example, to journalists working at the evening newspapers and at morning newspapers in metropolitan areas, editorial writers and columnists, television presenters and managers with overall responsibility. The Journalist Panel shows that subjects involving, inter alia, feminism, gender, immigration, integration and racism often lead to journalists being exposed to harassment.

It is far more common for journalists who are women to be exposed to threats of sexual violence and sexist violations than journalists

who are men. The report by the Swedish Media Publishers' Association and Klara K "Threats against female opinion makers" (2017), which is based on interviews with women serving as opinion makers, columnists or analysts, shows that the majority, over 70 per cent of the women who work with opinion journalism, has been exposed to threats or harassment over the past 12 months.

According to the publishers' association Utgivarna's report "Threats and hatred – how the media is influenced" (2016:01), threats against editorial offices have increased in scope. Almost half of the editorial offices had been threatened over the past year, compared to one in three editorial offices the year before. Almost three quarters of the editorial managers feel that the threat scenario for their office had become greater over the past five years. Twelve of the most serious threats were perceived to come from private individuals and nine from right-wing extremist organisations.



According to the latest investigation in which the Journalist Panel participated, just over three in ten of the threatened journalists had at some time refrained from covering certain subjects or certain people/groups due to the risk of being threatened. Of the threatened journalists, one in six has considered leaving the profession. Fewer than one third of the threatened journalists has reported the incidents to the police. Other protective measures that have been taken involve various ways to reduce their visibility and vulnerability in the public sphere, e.g. concealing personal data and obtaining personal protection, moderating or closing comments fields, or being more restrictive on social media.

2.1.3 Artists

In its report “Threatened culture?” (2016:3), the Swedish Agency for Cultural Policy Analysis maps exposure to threats, harassment, theft, violence or vandalism linked to the professional practice of authors and visual and design artists. One in six authors and visual artists has been exposed to threats, harassment, theft, violence or vandalism over the past year. Almost one in five authors has been exposed to threats or harassment, and about half of all threats are received via the internet. What characterizes artists as a group is that almost one tenth has been exposed to violence, theft or vandalism of artistic works. This is often a case of property offences, e.g. with regard to public art.

Among artists, those who are known to the public or aspire to be social critics are particularly exposed. This also applies to artists who are active in digital channels and those who have a media presence. The difference in the proportion of affected men and women is small. Artists with a foreign background are among those particularly exposed. The perpetrator is usually perceived to be a person who is opposed to the artist's work or a generally angry or displeased person.

One in four exposed artists states that the perpetrator was a representative of a political organisation or a private individual with political motives, often in the form of a right-wing extremist or racist grouping.

Among the exposed artists, many feel that their artistic freedom has been curtailed in some sense. As a result of exposure or concern about exposure, one third has considered either leaving an assignment or not working in a certain field, and 14 per cent have left or not accepted a particular assignment. Few artists report incidents to the police. One in three reports violence, vandalism and theft, and one in ten of those affected has reported threats. The reason for this is that they do not believe a police report will have any result, that the incident is perceived to be a petty matter or that those exposed have themselves handled the incident.

There are several reports contributing to a broader and deeper understanding of exposure within the arts. The Swedish Arts Grants Committee's report “Working environment of artists” (2017) examines the situation of artists within all areas of art: image and form, dance, film, music, words and theatre. Almost one in ten artists has been exposed to sexual harassment, threats or physical violence over the past year. Among those exposed, more than one third has refrained from artistic activities such as performances, publication and participation. The report “Hosts or guards?” from the Swedish Agency for Cultural Policy Analysis (2016:4) states, inter alia, that artists or artistic works about racism, as well as queer and feminist works, tend to be the subject of threats and hatred. In its report “Exposed museums?” (2017:01), the Swedish Agency for Cultural Policy Analysis maps the occurrence of vandalism, violence and threats directed against museums and museum authorities. It shows, inter alia, that the staff at every third museum has at some time been exposed to violence and threats in 2015.

2.1.4 Opinion makers

In an appendix to its report “Swedish democracy trends” (2017), the SOM Institute at the University of Gothenburg investigates participation in the democratic discourse.

The investigation shows that 43 per cent of the Swedish population aged 16 to 85 express an opinion on a societal issue at least once a week in public contexts. Of these, 15 per cent have been exposed to threats, harassment or violence over the past year. Of those expressing opinions on societal issues at least once a week on the internet and in social media, 24 per cent state that they have been exposed to threats, harassment or violence over the past year. The results do not indicate any differences in the proportion of women and men who have been exposed. In general, younger people are more exposed than older people, and those who have grown up outside Sweden are more exposed than those who have grown up in Sweden.

The SOM survey shows that 10 per cent of those who have expressed an opinion at least once a week as part of their involvement in a NGO have been exposed to threats, harassment or violence over the past 12 months.

The result reflects the situation for ordinary members who are active across all types of associations. The result also shows a discernible link between how active individuals are in expressing opinions in public as part of their association involvement and the extent to which they have been exposed to threats and hatred. Among those who are more active and express opinions several times a week as part of their involvement in an association or organisation, 20 per cent have been exposed to threats, harassment or violence.

Three out of ten elected representatives have been exposed to harassment, threats or violence. Every third journalist has been threatened. One in six artists suffers threats, harassment, theft, violence or vandalism.

3. The work of the judicial system to safeguard the democratic discourse

Society must take measures to safeguard people's opportunities to participate in the democratic discourse. In order to safeguard the democratic discourse, it is the Government's belief that it is necessary to strengthen prevention, develop law enforcement and modernise legislation.

The judicial authorities need to contribute to counteracting threats and hatred in the public sphere. These authorities must handle cases of threats and hatred in a manner that inspires confidence. The judicial system's contacts with people exposed to threats and hatred in their role as, for example, elected representative or journalist need to function well. Since exposure has gender-related differences, it is important for the work to take into account a gender equality perspective. The ability to clear offences concerning threats and violations on the internet must also improve. Procedures for handling threats and hatred against those participating in the democratic discourse need to be developed, and the competence of the judicial system in this area needs to be improved.

All measures that are currently being taken within the judicial system have a high priority. The entire judicial system should have knowledge of these democracy problems and an ability to handle them, not least in connection with registering police reports. The Government intends to monitor the work of the Swedish Police Authority and the Swedish Prosecution Authority in the area to ensure that this continues and develops and to assess any needs for further measures in the area.

3.1 The Government is strengthening the work of crime prevention

The Government is creating better conditions for crime prevention work throughout

Sweden. This applies both to the judicial authorities and to municipalities, companies and organisations.

The Government has implemented the following measures:

- The Government has adopted the crime prevention programme “Combating crime together” (Comm. 2016/17:126) with crime prevention objectives for all policy areas. The objective of the Government's new crime prevention programme is to create conditions for structured and long-term work with crime prevention throughout society.
- The Government has also increased the responsibility of the Swedish National Council for Crime Prevention for support and coordination at the national level and has established regional coordinators at the county administrative boards.

3.2 The Swedish Police Authority protects the fundamental rights and freedoms

The Swedish Police Authority plays an important role in the work against offences that threaten the fundamental rights and freedoms and the free formation of opinion. In 2015, the National Police Commissioner raised the Authority's level of ambition in order to better protect the fundamental rights and freedoms.

The Swedish Police Authority's work has included clarifying that at a suspicion of crime with the intent to influence the free formation of opinion, special attention shall be given to whether it is a question of serious threats or harassment that can lead to an elected representative, a journalist or other opinion maker refraining from operating in the public sphere.

The Swedish Police Authority has strengthened the work in several areas:

- Offences that threaten the fundamental rights and freedoms and the free formation of opinion shall be investigated by the Swedish Police Authority's democracy and hate crime units where these exist, or handled in a particular order. The democracy and hate crime units and other allocated resources are to support the local police districts to prevent crime, conduct training and build trust.
- The Swedish Police Authority is currently investing in internal training to increase its skills and knowledge regarding offences concerning fundamental rights and freedoms. A web-based training programme is being developed for distribution to all police employees who might come in contact with these matters, e.g. those registering reports and other staff. The purpose of this training is to provide support both in criminal investigations and in the confidence-building initiatives.
- The Swedish Police Authority's crime victim and personal security division (BOPS) is available in all police regions and is responsible for providing support to exposed victims. BOPS has contact with those responsible for security at the media houses and for local politicians in the respective regions. BOPS can offer personal protection to those who are threatened and collaborate with other parts of the Swedish Police Authority when there is a need for particular measures concerning victim support or personal protection.
- The Swedish Police Authority has a Development Centre (UC) for every police region, each having designated national areas of responsibility. UC Stockholm's responsibility includes offences that threaten fundamental rights and freedoms and thus has a particular responsibility for national contacts with organisations representing exposed groups. In autumn 2015, a consultation forum was established for this purpose. In this and other forums, the Authority meets with representatives from, e.g. the media industry and party organisations to exchange experience on a regular basis and to improve operational collaboration. UC Stockholm also convenes the Swedish Police Authority's internal networks for those working with democracy and hate crime. All police regions have contact persons who, in turn, are in contact with UC Stockholm.
- The Government intends to particularly monitor the Swedish Police Authority's work in the area. In the Swedish Police Authority's appropriation directions for 2018, the Government intends to require the Authority to report back on the measures it has taken as a result of raising its level of ambition and to present arguments concerning the effects those measures are assessed to have had or will have and how this work will continue to be developed. It is particularly important that contact has been established between local media actors and the Swedish Police Authority.

3.3 The Swedish Police Authority and the Swedish Prosecution Authority improve the conditions for investigation and legal proceedings

In addition to the Swedish Police Authority's work for the fundamental rights and freedoms, further work is being done by the judicial authorities to improve the conditions for investigation and legal proceedings. One target group receiving attention in this development work is elected representatives. In June 2014, Chief Public Prosecutor Torsten Angervåg submitted to the Government a survey and analysis of how the courts assess the penal value of offences against elected representatives. The survey indicated the need to develop the work to strengthen the procedures of the Swedish Police



Authority and the Swedish Prosecution Authority regarding how they receive victims and register reports, in order to speed up investigation and legal proceedings. Such development work could also have effects on investigation and legal proceedings regarding offences against journalists and other opinion makers.

The development work of the Swedish Police Authority and the Swedish Prosecution Authority regarding investigation and legal proceedings also includes the following initiatives:

- The Swedish Police Authority is conducting work to design procedures that are intended to be used for taking reports concerning incidents where a political link or a political motive is suspected. The person reporting the incident is to be asked whether the incident might have a political link, and the report is access-protected where necessary. The Swedish Police Authority's crime victim and personal security division has coordinators in all police regions. These conduct outreach activities to build relationships with elected representatives. Among other things, the coordinators inform the elected representatives of the importance of reporting any suspicion that the incident might have taken place on account of their political engagement.
- Since 2016, the Swedish Prosecution Authority's development centre in Malmö has been conducting a development project focusing on offences concerning threats and violence against elected representatives. The purpose is to streamline preliminary investigations and thereby create conditions for greater uniformity and legal security in law enforcement and to ensure that the offences are punished adequately.

3.4 Initiatives of the Swedish Police Authority and the Swedish Prosecution Authority against cybercrime

Like other cybercrime, threats on the internet and social media have risen sharply over the past ten years. Digital development and increased internet use have had a major impact on the work of authorities conducting criminal investigations. Keeping pace with this development places entirely new demands on competence and capacity regarding cybercrime.

Several measures are being implemented at the Swedish Police Authority and the Swedish Prosecution Authority:

- On 1 October 2015, a national cybercrime centre was established at the Swedish Police Authority. The aim of the cybercrime centre is to strengthen the ability to combat cybercrime. The cybercrime centre is an expert resource whose responsibility includes increasing the dissemination of knowledge within the Swedish Police Authority, which is intended to increase the overall level of knowledge at the Authority.
- Work is in progress at the Swedish Police Authority to produce national guidelines and methods for combating cybercrime.
- The Swedish Prosecution Authority has produced a new legal memorandum on hate crime that includes guidance on the practical handling of hate crime on the internet.
- One of the issues of precedent that the Swedish Prosecution Authority is also prioritising in 2017 is the penal value of gross defamation, particularly young people's online exposure and the dissemination of photographs via mobile phones.
- Through its appropriation directions for 2017, the Swedish Prosecution Authority has been commissioned to report on the measures that have been taken to strengthen the Authority's ability to intervene against threats and violations on the internet.

3.5 The Government is strengthening the criminal law protection

The Government has conducted work to better adapt the penal regulations to digital development. This development has led to threats and other violations of personal privacy taking on new forms. In order to better counteract threats and violations, in both digital and physical environments, it is necessary to adapt the penal regulations to the problems that are relevant today. The regulations need to encompass new means of communicating and phenomena that did not exist when the legislation was introduced.

In May 2014, the Government decided to commission an inquiry to conduct a broad review of the protection provided by criminal law individuals personal privacy, particularly with regard to threats and other violations (ToR 2014:74). In February 2016, the Government received proposals on how the legislation can be amended and modernised in the report “Privacy and penal protection” (SOU 2016:7). The legislative proposals include offences, defamation and insulting behavior, and the crimes against liberty and peace, i.e. unlawful threat and molestation, as well as the responsibility for those who provide electronic bulletin boards. The inquiry also proposes the introduction of a new provision in the

Swedish Penal Code entailing a criminal liability on unlawful violation of privacy by spreading images or other information that are sensitive in terms of privacy.

In a proposal referred to the Council on Legislation for consideration on 8 June 2017, the Government has proposed that the penal protection of personal privacy be enhanced and modernised. The Government’s proposal includes the introduction of a new offence – unlawful violation of privacy – which makes it punishable to violate someone else’s private life by spreading certain kinds of images or other information that are sensitive in terms of privacy. The Government also proposes that the penal provisions for unlawful threat, molestation, gross defamation and insulting behaviour be clarified and modernised. The provision on unlawful threat is also expanded to make it punishable to threaten someone with several types of criminal acts, e.g. threats to spread images of someone’s naked body. The provision on molestation is also expanded. It is proposed that criminal liability under the BBS Act is expanded to also encompass messages that obviously contain unlawful threats or unlawful violation of privacy. Most of the amendments are proposed to enter into force on 1 January 2018.



4. The Government is strengthening the preventive work against exposure to threats and hatred

Safeguarding the democratic discourse is a shared responsibility. All those participating in the public debate need to take responsibility for counteracting exposure to threats and hatred. This applies to the Government, the judicial system and other government agencies, employers, civil society organisations and individuals.

Extensive work is being done to protect the democratic society, both through preventive work to strengthen democracy, (Section 1.4) and also through measures undertaken by the judicial authorities (Section 3). The Government is now commencing a more systematic effort to prevent exposure of key actors in the democratic discourse – elected representatives, journalists and artists – to threats and hatred. The ambition is to reduce exposure using targeted measures with respect to elected representatives, journalists and artists, and through basic support relating to all those participating in the democratic discourse. It is important that particular exposure and a gender equality perspective be taken into account in order to improve the understanding of differences in exposure and to be better able to counteract exposure.

The objective of the Government's work in the area is to help increase knowledge about threats and hatred against those participating in the democratic discourse, to improve access to support for actors who are, or risk, being exposed, and to increase awareness of the issue and the preventive work.

The Government's measures are focused on six areas:

- Deeper knowledge of threats and hatred
- Basic support for all those exposed
- Stronger support for elected representatives
- Stronger support for journalists and editorial offices

- Stronger support for artists
- International cooperation for the protection of journalists and artists

The measures being implemented by the Government are based on the knowledge currently available about the exposure of actors in the democratic discourse (Section 2.1). The Government Offices has also had contacts with relevant actors ahead of producing this action plan. In 2016, the Government conducted a number of round-table discussions – “United against threats and hatred” – to collect experiences of exposure to threats and hatred and to establish what initiatives that are needed. This dialogue will continue.

4.1 Deeper knowledge of threats and hatred

Knowledge of how exposure to threats and hatred manifests itself, of which participants in the democratic discourse that are particularly exposed and of the consequences exposure has, is crucial for the work to be efficient. The exposure of key actors needs to be monitored over time, and knowledge in the area needs to be developed.

The reports published so far provide a solid base for this. Commissioned by the Government, the Swedish National Council for Crime Prevention (Brå) has mapped the exposure of elected representatives to threats, violence and harassment in the Politician's Safety Survey (PTU) on three occasions (2012:14, 2014:9 and 2015:23). Using its Journalist Panel, the University of Gothenburg has conducted two investigations into threats and violations against journalists (2013 and 2016). The Swedish Agency for Cultural Policy Analysis (2016:3, 2016:4 and 2017:1) and the Swedish Arts Grants Committee (2017) have published several reports on threats and hatred against artists.

The Government is commissioning the University of Gothenburg, Linnæus University, the Swedish Arts Grants Committee, the Swedish Crime Victim Compensation and Support Authority, the Swedish National Council for Crime Prevention and the Swedish Police Authority – and is funding SALAR and Victim Support Sweden – to strengthen the work against threats and hatred.

The Government is implementing the following measures:

- The Swedish National Council for Crime Prevention has been commissioned by the Government to conduct the Politician's Safety Survey (PTU) for the year between election years, 2016. The survey will also be conducted for the election year 2018.
- The University of Gothenburg has been commissioned by the Government to further develop its survey of threats and hatred against journalists.
- As of 2017, the SOM Institute at the University of Gothenburg analyses the scope of the democratic discourse and the extent to which those participating in the discourse have been exposed to threats and hatred.
- The Swedish National Council for Crime Prevention's Swedish Crime Survey (SCS), which is conducted annually, has undergone development in 2016–2017 to better capture phenomena that can be described as online abuse.

4.2 Basic support for all those exposed

All those who use their freedom of expression are to have access to support if they are exposed to threats and hatred. Today, there are great variations in terms of the support that elected representatives, journalists, artists, individual opinion makers, civil society organisations and others participating in the democratic discourse have access to. The support is partly dependent on whether individuals participate in the democratic discourse as part of their employment and on the employment conditions they have. It is therefore important to develop basic initiatives that increase awareness of the available support, that are accessible to all and that help individuals to handle their exposure. In addition to this basic support for all those participating in the democratic discourse, there is also a need for targeted

initiatives with respect to specific groups (Sections 4.3–4.5).

The Government is implementing the following measures:

- The Swedish Crime Victim Compensation and Support Authority is being commissioned by the Government to produce a training and information resource concerning support for those participating in the democratic discourse who are exposed to threats and hatred. The resource is intended to be used by government agencies and organisations that need better tools to support those exposed, but also by private individuals who are exposed to threats and hatred in the public debate.
- The Government is granting Victim Support Sweden funds to develop and strengthen the organisation's support for individuals who are exposed to threats and hatred in connection with their participation in the public discourse. Victim Support Sweden is to develop the support it provides to people who are exposed to threats and hatred. The work is to be done through the national helpline and through local victim support centres.
- In 2018, the Government will be enhancing the opportunities to seek support for non-governmental initiatives that help to prevent threats and hatred against the democratic discourse, e.g. to develop guides and guidelines, action programmes, training and experience exchange.

4.3 Stronger support for elected representatives

The work being done to prevent and handle threats and hatred against elected representatives needs to be strengthened. Responsibility for the work environment of elected representatives at the local level is currently divided between the municipality or county council and the political parties. A large proportion of elected representatives do not receive the

support they need, and many are unaware of whether there are action plans or a security officer to turn to. Many local governments therefore need to develop their work to prevent and handle threats and hatred against elected representatives. In this development work, it is important that local governments in their turn have access to support.

The Government is implementing the following measures:

- The Government has allocated funding to the Swedish Association of Local Authorities and Regions (SALAR) in order to support and develop the systematic work of municipalities and county councils to combat threats and hatred against elected representatives in 2017. Among other things, SALAR is to constitute a more operational support for the local level, adapted with reference to local conditions.
- In 2017, the Government is inviting the Riksdag parties' security officers to a dialogue on threats and hatred against elected representatives. The meeting will be a starting point for the 2018 elections and a follow-up to the meeting with the parties in 2016.
- The Government will investigate the possibility of strengthening the criminal law protection for elected representatives. This investigation is to supplement the decision-making documentation in the inquiry "The pursuit of power" (SOU 2006:46). The inquiry contains proposals to strengthen the criminal law protection for elected representatives. The parliamentary committee's assessment at that time was that offences against elected representatives occur to such an extent that this may be considered to constitute a threat to the representative democratic system.

4.4 Stronger support for journalists and editorial offices

Support for journalists and editorial offices to prevent and handle threats and hatred needs to be improved. Journalists are a heterogeneous group as regards working and employment conditions. Many are self-employed and take on freelance work, temporary assignments or fixed-term employment and thus have no permanent support from an employer. Combined with the fact that media actors that are not well-established might have limited opportunities for working with security and safety issues, this means that the support currently offered to journalists varies in individual cases. To reduce the exposure of journalists and editorial offices to threats, it is important that initiatives to increase competence and capacity are available and that they reach target groups in need of support, e.g. freelancers, small editorial offices and smaller production companies.

The Government is implementing the following measures:

- As part of its continuing professional training for journalists, Linnaeus University has been commissioned to develop initiatives to increase competence and capacity with respect to the prevention and handling of threats and hatred. These initiatives are to reach journalists and editorial offices, not least freelancers, small offices and smaller production companies that have limited opportunities to work with security and safety issues. The commission includes building up a knowledge centre and a service offering advice as well as support adapted to the target group.
- Together with the Swedish Police Authority, the Government will invite relevant actors to a dialogue on how to develop the Authority's work in relation to journalists and editorial offices. The reason for this is that many actors in the media industry have stated that their contacts with the police need to be improved.

4.5 Stronger support for artists

Support for artists who are exposed to threats and hatred needs to be developed. As most artists and authors are self-employed, they often lack the support and protection that covers employees. Support for exposed artists can be impeded by an unclear division of responsibilities between artist and client. Factors such as human and financial resources, as well as previous experience and knowledge, are significant to the support that clients and organisers offer. There is a need for easily accessible support for exposed artists and authors, but also initiatives for clients and organisers.

The Government is therefore implementing the following measures:

- Since 2017, the Swedish Arts Grants Committee has had a special commission to develop forms for providing support to exposed artists. As part of this commission, the Committee is working to produce a web-based guide for providing support to artists regarding threats, hatred, violence, harassment and discrimination. The guide offers material including information on work environment issues and what an exposed artist can do

in the event of threats and hatred.

To develop this work, the Swedish Arts Grants Committee is receiving extra funding for 2017.

- In November 2016, the Government appointed an inquiry (ToR 2016:93) to review the conditions for artists. The inquiry chair is to conduct a broad review of the central government initiatives and the conditions for professionally active artists.

4.6 International cooperation for the protection of journalists and artists

Sweden aspires to be a strong voice in the world, promoting freedom of opinion, freedom of expression and media freedom, and contributes to secure the safety of journalists and artists. Examples of important actors and arenas are the UN, UNESCO, the European Union and the Council of Europe. Sweden's development cooperation contributes to, inter alia, increasing the safety of journalists and to prevent journalists and artists from being exposed to arbitrary detention. The Council of Europe's work in this area focuses on promoting freedom of expression in accordance with Article 10 of the European Convention. In



2016, the Council of Europe adopted recommendations for the protection of journalists. Sweden plays its primary role within the Council of Europe through the Steering Committee on Media and Information Society (CDMSI). Through its participation in CDMSI, Sweden is for example able to influence other countries in issues relevant to the safety of journalists. UNESCO is the UN organisation mandated to pursue issues of press freedom and freedom of expression, media development and the safety of journalists. Within UNESCO, Sweden is one of the countries most active in raising the issue of freedom of expression and the safety of journalists. Sweden supports UNESCO's work in terms of policy, advocacy and finances. Sweden will continue to contribute actively to the implementation of the "UN Plan of Action on the Safety of Journalists and the Issue of Impunity" adopted by the UN in 2012.

The Government is implementing the following measures as part of its international cooperation:

- In multilateral forums such as UNESCO, Sweden will continue to raise issues of freedom of expression and press free-

dom, and of the safety of journalists and artists. Sweden will particularly highlight issues of threats against the safety of female journalists, including exposure to threats and hatred.

- Through Sida, Sweden has contributed funding to UNESCO which includes major support for UNESCO's work with press freedom and freedom of expression. This covers gender equality issues and support for the right of journalists and artists to freedom of expression.
- The Government will continue to promote the work to create cities of refuge for persecuted journalists and artists. The Swedish system for cities of refuge has been expanded via the Swedish Arts Council. Sweden now has more cities of refuge than anywhere else in the world, to which artists and journalists are invited by a Swedish municipality or county council on account of persecution in their home country.



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